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Luis M. Ortiz  
10/13/03

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	10/026,044
Filing Date	12/27/2001
First Named Inventor	Ralph H. Johnson
Group Art Unit	2828
Examiner Name	Nguyen, Tuan M.
Attorney Docket Number	V637-02671

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 60092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14855 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted  
i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).  
ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
iii. ☒ Other Amendment after Final - dated August 4, 2003  
b. ☒ Enclosed  
i. ☐ Amendment/Reply 10/07/2003 DTESSEM1 00000061 011125 10026044  
ii. ☐ Affidavit(s)/Declaration(s) 01 FC:1801 770.00 DA  
iii. ☐ Information Disclosure Statement (IDS)  
iv. ☒ Other self addressed postcard

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103 for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)  
b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-1125  
i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)  
ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)  
iii. ☐ Other \_\_\_\_\_  
b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed  
c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Andrew A. Abeyta	Registration No. (Attorney/Agent)	39,582
Signature		Date	Oct. 2, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, or facsimile transmitted to the U.S. Patent and Trademark Office on: POB 1450, Alexandria, VA 22313-1450

Name (Print/Type)	Luis M. Ortiz	Date	10/13/03
Signature			

Burden Hour Statement: This form is estimated to take 1.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.